

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STATE OF NEBRASKA,)	
)	
Plaintiff,)	4:11CV3088
)	
v.)	
)	
DARRELL ALLEN LINK,)	MEMORANDUM OPINION
)	
Defendant.)	
_____)	

This matter is before the Court on its own motion. On July 18, 2011, the Court entered a Memorandum and Order requiring defendant to either "tender[] the \$350.00 fee to the clerk of the court or submit[] a request to proceed in forma pauperis and an affidavit of poverty in support thereof" by August 15, 2011 (Filing No. [7](#) at CM/ECF p. 1). Defendant was warned that failure to comply with the Court's Memorandum and Order "will result in dismissal of this matter without further notice." ([Id.](#) at CM/ECF p. 2.) Defendant has not paid the filing fee or submitted a motion to proceed in forma pauperis.

This matter will be dismissed without prejudice because defendant failed to prosecute this matter diligently and

failed to comply with this Court's orders. A separate order will be entered in accordance with this memorandum opinion.

DATED this 6th day of September, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court